

**Cite & Release Program
Q3 Report
January – March 2020**



Chief William McManus

August 2020

**SAPD Class A/B Misdemeanor Cite & Release Program Report
Q3 (January - March 2020)
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Overview

This report outlines the enforcement activity related to the SAPD enhanced Cite and Release program, which began on July 1, 2019. The period covered by this report is January 1, 2020 through March 31, 2020. This program authorizes SAPD Officers to issue citations in lieu of custodial arrest in certain Class A or B misdemeanor offenses codified within Texas Code of Criminal Procedure Article 14.06 (c) and (d). The SAPD amended existing departmental policy and expanded officer discretion to support the enhanced cite and release opportunities. However, in consultation with the Bexar County District Attorney's Office, the Class A and B misdemeanor offense of Penal Code 28.08 Graffiti was excluded from the authority to cite and release. The offenses authorized for cite and release under the enhanced SAPD program is as follows:

1. Class B Possession of Marijuana (0-2 oz.)
2. Class A Possession of Marijuana (2-4 oz.)
3. Class B Possession of Substance in Penalty Group 2-A (0-2 oz.)
E.g. Synthetic cannabinoids
4. Class A Possession of Substance in Penalty Group 2-A (2-4 oz.)
E.g. Synthetic cannabinoids
5. Class B Criminal Mischief (\$100 or over and less than \$750)
E.g. damaged property, broken windows, flattened tires
6. Class B Theft from businesses (\$100 or over and less than \$750)
E.g. shoplifting, retail theft
7. Class B Theft of Service (\$100 or over and less than \$750)
E.g. non-payment of tab or check, rental fee
8. Class B Contraband in a Correctional Facility
E.g. alcohol, controlled substance, deadly weapon, tobacco products
9. Driving While License Invalid

In an effort to evaluate the effectiveness of the implementation of the enhanced Cite and Release Program and to provide the community with information on the program, the Department will produce a quarterly report providing information on the following:

1. Enforcement Activity
2. Race/Ethnicity
3. Age
4. Gender
5. Location
6. Offense Type
7. Arrest Reason
8. Officer Availability

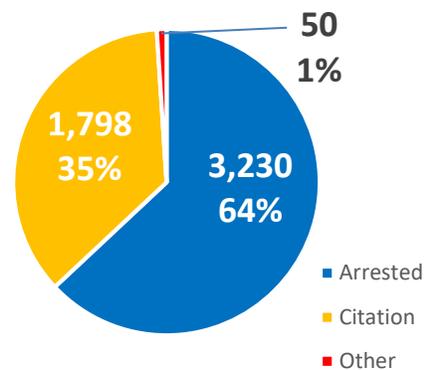
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Additionally, this report builds upon previous quarterly reports and compares data related to the above categories to ensure the program is achieving its goal of reducing officer time spent on calls and is applied in a fair and impartial manner.

1) Enforcement

During the period of January through March 2020, the SAPD arrested 1,654 individuals for eligible offenses, via either custodial arrest or issuing a misdemeanor citation. This represents a decrease of 96 arrests via custodial arrest or citation as compared to the previous quarter total of 1,750 arrests. Figure 1.1 identifies the year to date enforcement activity by type of arrest. To date, the SAPD has performed 3,230 custodial arrests which represents approximately 64% of the enforcement activity for eligible offenses. This is consistent with the custodial arrest rate in the previous quarters. Similarly, the SAPD released 1,798 individuals via misdemeanor citation and 50 individuals via other forms of release year to date. The citation release rate year to date is 36% of the enforcement activity. Other forms of release include: medical, emergency detention and public intoxication.

Fig. 1.1 – YTD Arrest vs. Citation



2) Race/Ethnicity

Table 2.1 identifies the percentage of arrestees (arrests and citations) by race or ethnicity during the Q3 and compares these rates to the rates YTD. In Q3, African Americans represented 16.3% of the total arrests which represents a slight increase (1.8%) from the 14.5% arrest rate observed in previous quarters.

Table 2.1 – Arrestee Demographic Breakdown (Oct.-Dec.)

	2018	Q3	Q1-Q2
African American	18.6%	16.3%	14.5%
Hispanic	64.7%	68.1%	69.6%
White	15.7%	14.3%	15.1%
Other	1.0%	1.3%	0.8%

Hispanic arrests in Q3 were down approximately 1.5% at 68.1% as compared to 69.6% in previous quarters. Whites accounted for 14.3% of the arrests in Q3 and is a slight decrease (0.8%) from the arrest rate for Whites of 15.1% for previous quarters. Overall the enforcement activity in Q3 for the eligible offenses appears to be consistent with the enforcement activity during the previous quarters.

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Table 2.2 identifies the number of arrestees either arrested via custodial arrest or released by race or ethnicity during the identified period in 2020. With respect to African American arrestees, 99 of the 268 individuals were released which represents an approximate 37% release rate. The data related to Hispanic arrestees demonstrates 408 individuals were released out of 1,114 total arrestees. This represents an approximate 37% release rate among Hispanic arrestees.

Table 2.2 – Release Rate by Race/Ethnicity Q3

Race/Ethnicity	Total	Arrests	Other	Citations	Q3 Release Rate	Q1-Q2 Release Rate
African American	268	169	0	99	37%	37.2%
Hispanic	1,114	706	14	394	37%	35.1%
White	247	148	3	96	40%	37.4%
Other	25	13	1	11	48%	52.0%
Total	1,654	1,036	18	600	37%	35.9%

In Q3, 99 whites were released out of 247 arrestees. This represents an approximate 40% release rate among white arrestees. The data demonstrates there is not a large disparity by race or ethnicity with respect to the decision to release as opposed to custodial arrest.

3) Age

Table 3.1 identifies the Q3 arrestees with respect to the age of the arrestee. This data demonstrates that approximately 1,371 or 82.9% of the 1,654 total arrestees were 40 years old or younger which is a slight decrease from previous quarters

Table 3.1 – Arrests by Age Range Q3

Age Range	Arrest	Citation	Total Offenses	Q3 Offense %	YTD Offense %
<20	145	140	285	17.2%	15.4%
21 - 30	398	262	660	39.9%	40.6%
31 - 40	289	137	426	25.8%	27.2%
41 - 50	134	44	178	10.8%	11.1%
51 - 60	56	26	82	5.0%	4.6%
61 - 70	13	6	19	1.1%	1.0%
70+	1	3	4	0.2%	0.1%
Total	1,036	618	1,654	100.0%	100%

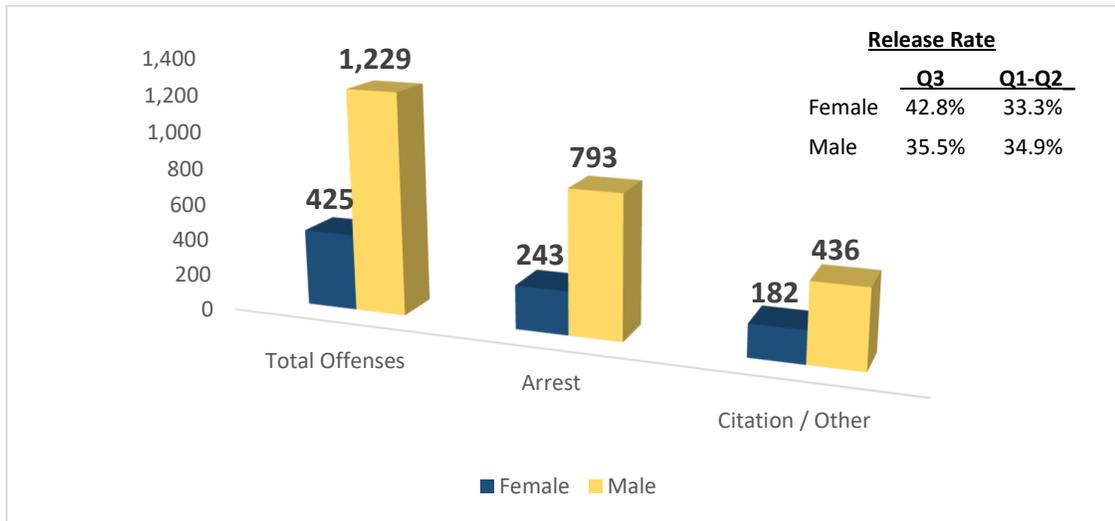
when 83.2% of arrestees were 40 years old or younger. This trend is consistent with other general crime trends where those engaged in crime tend to be younger as opposed to older.

4) Gender

Table 4.1 identifies the number of arrestees based on gender in Q3. The data demonstrates that in Q3 74.3% of the arrestees were male while 25.7% were female. The release rate for male arrestees is 35.5% which is a slight increase from the 34.9% male release rate in previous quarters. The release for females in Q3 is 42.8% which is an increase of the release rate of 33.3% in previous quarters.

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Table 4.1 – Q3 Gender Comparison



5) Location

Table 5.1 identifies enforcement activity by location within the applicable SAPD Service Area. The number of arrests (custodial and citation release) range from a low of 174 arrests in the Prue Service Area to a high of 363 arrests in the West Service Area. The SAPD Service Area with the lowest citation rate was the Central Service Area at 32.2% and the highest citation rate was 45.7% in the West Service Area.

Table 5.1 – Q3 Arrests by Service Area

Service Area	Total	Arrest	Citation	% Citation	Q1-Q2 % Citation
Central	338	229	109	32.2%	38.2%
North	283	175	108	38.2%	41.6%
East	222	143	79	35.6%	32.5%
West	363	197	166	45.7%	38.4%
South	264	177	87	33.0%	32.5%
Prue	174	109	65	37.4%	30.8%
Outside COSA	10	6	4	40.0%	30.0%
TOTAL	1,654	1,036	618	37.4%	35.9%

6) Offense Type

Table 6.1 identifies the enforcement activity by offense and the associated release rate via citation. Class B Theft and Class B Possession of Marijuana are the offenses that generate the majority of enforcement activity at 85% of the arrests combined. Class B Theft has a higher citation release rate at approximately

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51% as compared to the release rate of approximately 38% for Possession of Marijuana 0-2 oz. The lowest citation release rate is Class B Criminal Mischief at approximately 9%.

Table 6.1 – Q3 Arrests by Offense

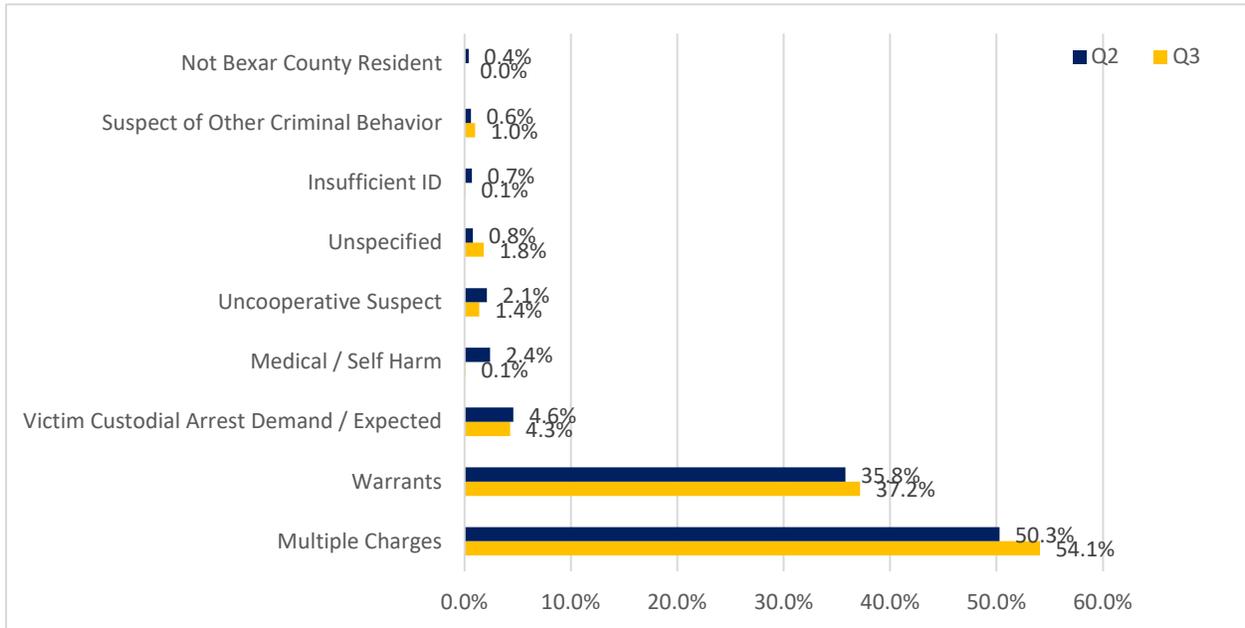
OFFENSE	Total	Arrest	Citation	% Citation	Q1-Q2 Citation %
Contraband In Correctional Facility	1	1	0	0.0%	0.0%
Criminal Mischief \$100 to <\$750	90	82	8	8.9%	11.0%
Driving While License Invalid	15	11	4	26.7%	45.1%
Class B Theft \$100 to <\$750	323	160	163	50.5%	53.0%
Class B Theft of Service \$100 to <\$750	2	2	0	0.0%	40.0%
Possession of Marijuana 0 - 2 OZ (Class B)	1,075	671	404	37.6%	34.8%
Possession of Marijuana 2 - 4 OZ (Class A)	33	25	8	24.2%	24.7%
Possession Schedule 2A Controlled Substance < 2 OZ	111	80	31	27.9%	20.2%
Possession Schedule 2A Controlled Substance 2 - <4 OZ	4	4	0	0.0%	0.0%
Totals	1,654	1,036	618	37.4%	35.9%

7) Custodial Arrest Reason

The reason officers effect a custodial arrest can vary widely and current SAPD policy identifies certain circumstances where a custodial arrest is required. Figure 7.1 identifies the reason for officers effecting a custodial arrest. The majority of the instances where a custodial arrest was made was due to the individual either being charged with violation(s) beyond the offenses eligible for cite and release and the arrestee having an existing arrest warrant at approximately 91% combined which represents a 5% increase from Q2. In both of these circumstances a custodial arrest is likely required by current SAPD policy as the additional charge and/or warrant require the custodial arrest. Similarly, intoxication and mental health issues that increase the likelihood for self-harm is also likely to require a custodial arrest and accounts for approximately 2% of custodial arrests. Other custodial arrest reasons where the officer may affect a custodial arrest at less than 1% are the arrestee having insufficient identification, being suspected of other criminal behavior and not being a resident of Bexar County.

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Fig. 7.1 – Reason for Custodial Arrest



*Arrest reasons modified after Q1 report

8) Officer Availability

Table 8.1 identifies the crimes with the highest citation rate and the associated average time savings as compared to custodial arrest times for those crimes. The total reduction in time spent on these crimes was 1,113.5 hours during the three months. Based on full-time equivalent (FTE) analysis, this reduction results in officer time on call savings equivalent to 2.7 FTE during the three-month period which is equal to the savings realized in Q2. Since the implementation of the program there has been a total FTE savings of 2.7 officers.

Table 8.1 – Reduced Officer Time On Call

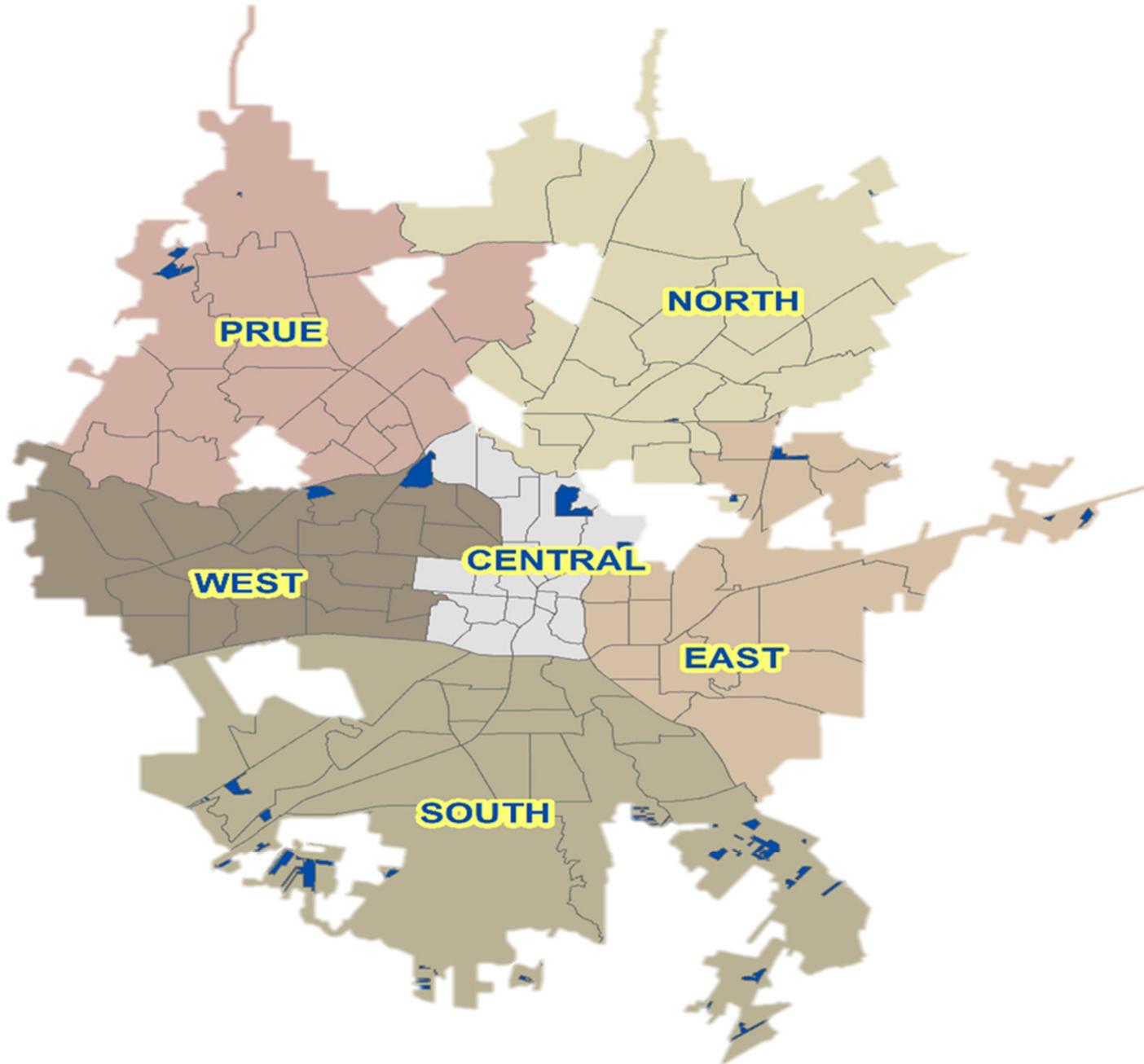
OFFENSE	Citation	Avg. Reduction	Hours Reduced	Q1 Hours Reduced	Q2 Hours Reduced	YTD Savings
Contraband In Correctional Facility	0	N/A	N/A	N/A	N/A	0.0
Criminal Mischief \$100 to <\$750	8	N/A	N/A	N/A	N/A	0.0
Driving While License Invalid	4	1:10	4.7	10.5	5.8	21
Class B Theft \$100 to <\$750	219	1:57	317.9	319.8	427.1	1,064.8
Class B Theft of Service \$100 to <\$750	0	0:14	N/A	0.7	0.7	1.4
Possession of Marijuana 0 - 2 OZ	404	1:52	754.1	644.0	713.1	2,111.2
Possession of Marijuana 2 - 4 OZ	8	0:32	4.3	4.3	5.9	14.5
Possession Schedule 2A Controlled Substance < 2 OZ	31	1:03	32.6	51.5	13.7	97.8
Possession Schedule 2A Controlled Substance 2 - <4 OZ	0	N/A	N/A	N/A	N/A	0.0
Total Hours Reduced			1,113.5	1,030.8	1,166.2	3,310.5

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APPENDIX

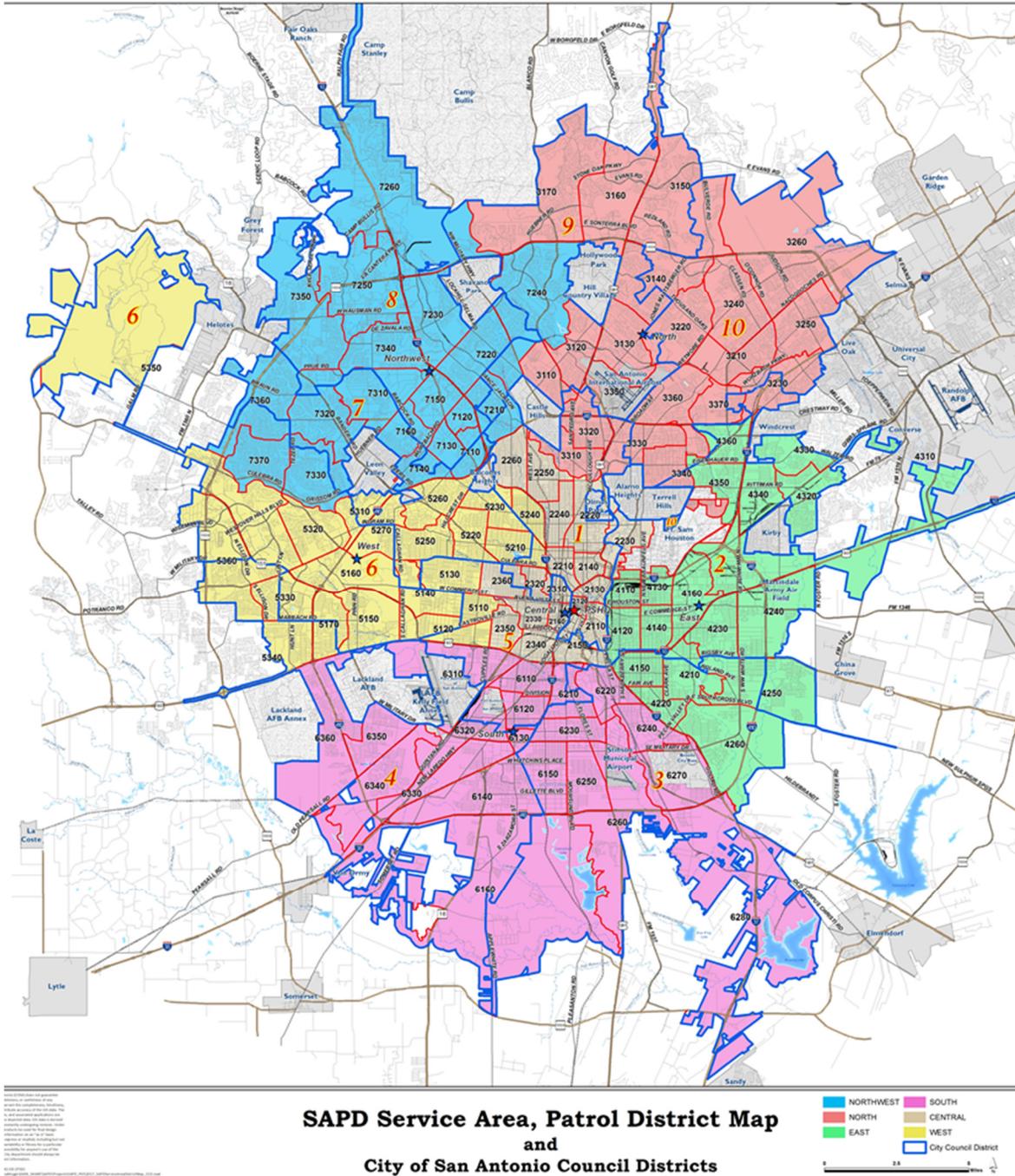
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SUBSTATION MAP



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Substation Map – Council Districts



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CITATION BOOK

**SAN ANTONIO POLICE DEPARTMENT
CITE AND RELEASE
CITATION**

INSTRUCTIONS:

- 1) **ELIGIBLE OFFENSES:** ARE LISTED IN GENERAL MANUAL PROCEDURE 505.06.B.
 - a) An Officer who determines probable cause has been established for any of the eligible offenses can issue a citation if the offender does not have any of the restrictions listed in General Manual Procedure 505.05.A or .06.A.
- 2) **Report Responsibility:** When officers issue a Cite and Release Citation in lieu of custodial arrest, the officers shall:
 - a) Create an offense report;
 - b) Document the citation number in the report;
 - c) Submit the report for approval;
 - d) The report shall be submitted to the DA's Office per General Manual Procedure 505.03.B.
- 3) **The original citation** is submitted in an envelope through bin mail to: *DA's Office, Intake Division, Attn: Cite and Release.*
- 4) **Date of Appearance** should be set 10 days from the date the citation is issued.
- 5) **Return** empty ticket books to Records Unit for destruction.

IF FOUND PLEASE RETURN

**SAN ANTONIO POLICE DEPARTMENT
CITE AND RELEASE CITATION**

No. CR 0003175

ROUTING OF REPORT
DISTRICT ATTORNEY'S OFFICE

DATE ISSUED		TIME ISSUED	DAY OF WEEK	
MONTH	DAY	YEAR		
(PRINT) LAST NAME		FIRST	MIDDLE	

RESIDENCE ADDRESS

CITY	ZIP CODE	PHONE
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BUSINESS ADDRESS (OR SCHOOL ATTENDED)

CITY	ZIP CODE	BUSINESS PHONE
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RACE	SEX	HAIR	EYES	HEIGHT	WEIGHT	DATE OF BIRTH
						/ /

DRIVER'S LICENSE	STATE	NUMBER	SOCIAL SECURITY NUMBER
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OTHER ID OR EMAIL ADDRESS:

VIOLATION CHARGED

BASED UPON THE INFORMATION CONTAINED HEREIN, A COMPLAINT WILL BE FILED AGAINST YOU FOR THE VIOLATION INDICATED BELOW

OFFENSE(S) NOT COMMITTED IN MY PRESENCE
 CERTIFIED ON INFORMATION AND BELIEF.

PLACE OF OFFENSE

BADGE NO.	DISTRICT OF ARREST	ASSIGNMENT NO.
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SIGNATURE OF OFFICER

By signing below, I agree: 1) to report to the Bexar County District Attorney's Office at the ReEntry Center at 222 S. Comal for further instructions. I will report no sooner than the date written below and no later than 30 days after that date; and 2) to be contacted at the phone number or email address provided for purposes related to this citation, including notification of reporting.

DATE OF APPEARANCE: / / (Date should be 10 days from issue)

SIGNATURE: _____

THIS IS NOT AN ADMISSION OF GUILT
SEE REVERSE SIDE FOR MORE INSTRUCTIONS